

REMARKS

Applicant gratefully acknowledges allowance of claims 36-39, 42-46 and 57-68 which are pending in the application. Claims 40, 41, 47-56 and 69-79 have been canceled without prejudice. It is believed that the pending claims are in condition for allowance.

The informalities noted by the Examiner in the Office action have been corrected. The objection to the drawings for including reference signs not found in the specification have been corrected by submitting red-line drawings deleting the subject reference signs.

The specification has been amended to correctly identify the parentage of the present application.

Claim 40 has been amended to depend from claim 36 rather than claim 39, and claim 41 still depends from claim 40, which now depends from claim 36.

Claims 47, 56, 69 and 78 have been objected to under 37 C.F.R. § 1.75 as being substantial duplicates of claims 38, 46, 59 and 67 respectively. While Applicant believes there are patentable differences between the claims and that the objection should be withdrawn, in order to expedite the issuance of the present application, Applicant has elected to cancel without prejudice the claims objected to.

Likewise, claims 48-55, 70-77 and 79 have been objected to as being dependent upon a rejected or objected to base claim. While the objected to claims could be rewritten in independent form to include patentable subject matter, in order to expedite the issuance of the application, Applicant has elected to cancel these claims without prejudice.

The Examiner should be aware that Applicant has two co-pending applications before Examiner Stright having claims similar to but patentably distinguishable from the claims

presented herein. The co-pending applications are U.S. Serial No. 09/136,982 and U.S. Serial No. 09/119,098. The Examiner is invited to review these co-pending applications, one of which is on appeal, for issues relating to prior art and priority.

Attached hereto is a marked-up version of the changes made to the claims and specification by the current Amendment. The attached page is captioned "VERSION WITH MARKINGS TO SHOW CHANGES MADE."

It is respectfully requested that the application be passed to issue at the earliest convenience. It is also requested that if there are any informal matters that the Examiner call the undersigned attorney at (310) 824-5555 in order to expedite prosecution of the pending claims.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION

Please enter the following substitute paragraph for the specification at page 1, line 5:

This application is a [divisional] division of U.S. Serial No. [09/119,344] 09/136,982 filed August 20, 1998 now U.S. Patent No. 6,113,607 [filed July 20, 1998, now U.S. Patent No. 6,113,607], which is a [divisional] division of U.S. Serial No. 08/630,528 filed April 10, 1996, now U.S. Patent No. 5,782,855, which is a [divisional] division of U.S. Serial No. 08/085,959 filed July 6, 1993, now U.S. Patent No. 5,507,768, which is a continuation-in-part application of U.S. Serial No. 07/647,464 filed January 28, 1991, now abandoned.

IN THE CLAIMS

Please cancel claims 47-55, 56, 69-79 without prejudice.

Please enter the following amended claim, and substitute the amended claim as follows:

40. (Amended) The assembly of claim 36 [39], wherein the catheter has an inflation passageway.

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